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LUD 5664 (10017134)**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that this correspondence is being transmitted via telecopy pursuant to 37 CFR 1.8 to Group 1644, Examiner Phillip GAMBEL of the United States Patent & Trademark Office at (571) 273-0844 and (703) 872-9306 on June 16, 2004.

Fani Malikouzakis
(Name of Transmitter)

Fani Malikouzakis
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Laure DUMOUTIER et al.
Serial Number : 09/626,617
Filing Date : July 27, 2000
For : METHODS FOR STIMULATING STAT3
TRANSCRIPTION FACTOR WITH IL-TIF/IL-21
Art Unit : 1644
Examiner : Phillip GAMBEL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR OFFICE ACTION TO BE VACATED AS INCOMPLETE
AND NEW ACTION TO ISSUE**

SIR:

The final rejection of June 14, 2004 has been reviewed. It is incomplete, and applicants are entitled to a complete, correct Office Action.

One of the issues raised by the Examiner was an alleged lack of entitlement to a priority claim.

See the September 23, 2003 Office Action, point 2.

Applicants contested this assertion. See page 5 of their amendment, third and fourth paragraphs.

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The final rejection does not address this argument, and merely reiterates the prior position taken by the Examiner even though applicants specifically requested an explanation should the Examiner disagree.

Further, there are gaps in the rejection at page 7, last two lines (the sentence is incomplete), and page 11, the paragraph beginning "(c)", (incomplete), and the rejection under 35 U.S.C. § 102(e) is directed to canceled claims.

As such, the action is incomplete. A new action is called for, with a re-set due date.

Should the Examiner disagree, a discussion with the Group Director is sought.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

By: 

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MATTER NUMBER: 10017134
(LUD 5664)

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